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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 04.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.6937 of 2024**

Prince Mathuram @ Prince  
Mathuram Cornelius

... Petitioner

Vs.

- 1.The State Represented by  
The Principal Secretary to Government,  
Public Foreign Department,  
Secretariat, Chennai.
- 2.The District Collector cum Camp Officer,  
Special Camp for Foreigners,  
Central Prison Campus,  
Tiruchirapalli.
- 3.The Inspector of Police,  
Team – XXXII Fake Passport Team Wing,  
Central Crime Branch,  
Chennai – 600 007.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3<sup>rd</sup> respondent to return the seized passport bearing No.544819099 to the petitioner forthwith in accordance to the order dated 04.10.2023 passed in C.C.No.3769/2021 on the



file of Learned Special Metropolitan Magistrate for CCB and CB-CID cases, Egmore, Chennai as well as issue direction to the 1<sup>st</sup> - 2<sup>nd</sup> respondent to permit the petitioner to exit India.

|                |                                                               |
|----------------|---------------------------------------------------------------|
| For Petitioner | : Ms.M.Kruthika                                               |
| For R1 & R2    | : Mr.K.Surendran<br>Additional Government Pleader             |
| For R3         | : Mr.S.Vinoth Kumar<br>Government Advocate<br>[Criminal Side] |

### **ORDER**

The writ petition has been filed to direct the 3<sup>rd</sup> respondent to return the seized Passport Bearing No.544819099 to the petitioner forthwith in accordance to the order dated 04.10.2023 passed in C.C.No.3769 of 2021 on the file of Learned Special Metropolitan Magistrate for CCB and CB-CID cases, Egmore, Chennai as well as issue direction to the respondents 1 and 2 to permit the petitioner to exit India.

2. Admittedly, the Passport of the petitioner was seized on account of Criminal Case registered against him.



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3. The learned Government Advocate (Criminal Side) appearing on behalf of the 3<sup>rd</sup> respondent made a submission that the Criminal Case ended with an order of acquittal and the findings of the Criminal Court reveals that the genuinity of the Passport is to be verified and accordingly, it is to be handed over to the petitioner. The learned Government Advocate (Criminal Side) further submitted that the prosecution has no objection for handing over the Passport, since it was identified as genuine.

4. In this context, the counter affidavit filed by the Inspector of Police, Central Crime Branch states that on 29.01.2024, Tr.Abraham Cruz Durairaj, the Inspector of Police sent a requisition letter to the British Deputy High Commissioner, Chennai to obtain the genuineness of Passport through tapal. Again on 07.03.2024, the Inspector of Police sent a reminder letter to the British Deputy High Commissioner, Chennai and the reply letter was received on 19.03.2024 mentioned that “His Majesty's Passport Office (HMPO) is the Government Department responsible for UK Passports. Therefore, the consular team at the BDHC Chennai are unable to answer any



queries regarding passport. All enquiries about Passport should be directed to the Passport Advice Line on +44300222000. As HMPO is the sole issuer of UK Passports, for any advice about British Passports issued in the UK, kindly contact their Office”. Based on that the Inspector of Police sent a mail ([DPA.Queries@hmpo.gov.uk](mailto:DPA.Queries@hmpo.gov.uk)) on 21.03.2024 to HM Passport Office, PO Box 767, Southport, PR8 9PW, for verify the Genuineness of the 'Prince Mathuram Cornelius's, UK Passport and reply mail was received on 28.03.2024, Mentioned that “All the necessary checks are done, nationality and identity are established by 'examination' team before a Passport is issued”.

5. In view of the facts and circumstances, the respondents are directed to verify the identity of the Passport holder and accordingly, hand over the same, by following the procedures as contemplated. The said exercise is directed to be completed within a period of four (4) weeks from the date of receipt of a copy of this order.



6. With the above directions, this Writ Petition stands allowed. No costs.

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**04.04.2024**

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Index : Yes

Speaking order

Neutral Citation : Yes

To

- 1.The Principal Secretary to Government,  
The State,  
Public Foreign Department,  
Secretariat, Chennai.
- 2.The District Collector cum Camp Officer,  
Special Camp for Foreigners,  
Central Prison Campus,  
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**S.M.SUBRAMANIAM, J.**

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